

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

TROY HEATHMAN, )  
Plaintiff, )  
v. ) No. 4:18 CV 720 RWS  
NANCY A. BERRYHILL, )  
Acting Commissioner of )  
Social Security, )  
Defendant. )

## **MEMORANDUM AND ORDER**

This matter is before me on plaintiff's motion for attorney's fees pursuant to the Equal Access to Justice Act, 28 U.S.C. § 2412, in the amount of \$4,872.48. Defendant does not object to the request.

On January 15, 2019, I reversed the decision of the Commissioner and remanded the case to the Commissioner under sentence four of 42 U.S.C. § 405(g) for further consideration. Because plaintiff prevailed and is not otherwise precluded from recovering attorney's fees, I find plaintiff is entitled to an award in the amount requested.

Accordingly,

**IT IS HEREBY ORDERED** that plaintiff's motion for attorney's fees [26] is granted, and plaintiff shall recover attorney's fees from the Social Security

Administration in the amount of \$4,872.48.

**IT IS FURTHER ORDERED** that, under the terms of the Assignment of Fee Agreement executed by the plaintiff in this case (Doc. #27-3), the award shall be made payable to attorney Jennifer Van Fossan unless plaintiff has a pre-existing debt owed to the United States, in which case the award shall be made payable to the plaintiff and subject to offset to satisfy that debt.

  
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RODNEY W. SIPPEL  
UNITED STATES DISTRICT JUDGE

Dated this 24th day of April, 2019.